



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING **SUMMARY**
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, SEPTEMBER 29, 2010
5:30 P.M.**

CALL TO ORDER 5:30 P.M.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL for submission of Speaker Request Forms

PRESENTATIONS

I. CALL TO THE PUBLIC

NO LEGAL ACTION PERMITTED Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

II. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one

motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

A. Approval of minutes of the following City Council meeting(s):

APPROVED	1.	Regular City Council Meeting	June 2, 2010
APPROVED	2.	Special Worksession	July 6, 2010
APPROVED	3.	Regular Worksession	July 6, 2010
APPROVED	4.	Special Worksession	July 20, 2010
APPROVED	5.	Special City Council Meeting	July 20, 2010
APPROVED	6.	Regular City Council Meeting	July 21, 2010
APPROVED	7.	Regular City Council Meeting	August 4, 2010

B. Approval of Staff Recommendations:

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1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

APPROVED 2. Special Event Liquor License: Yuma Sunrise Rotary Club

Approve a Special Event Liquor License application submitted by Mike Ray Suba, Jr., on behalf of the Yuma Sunrise Rotary Club for a Renovation Movie Premier Event. The fundraiser event will be held October 23, 2010, at the Yuma Quartermaster Depot State Historic Park, 201 N. 4th Avenue, from 5:00 p.m. to 11:00 p.m. (SP10-15) (City Administration/City Clerk) (Lynda L. Bushong)

APPROVED 3. Special Event Liquor License: Caballeros de Yuma, Inc.

Approve a Special Event Liquor License application submitted by Barry Olsen, on behalf of the Caballeros de Yuma, Inc. for the Colorado River Crossing Balloon Festival. The fundraiser event will be held November 20, 2010, at the Ray Kroc Complex located at 3500 S. Avenue A, from 11:00 a.m. to 9:00 p.m. (SP10-16) (City Administration/City Clerk) (Lynda L. Bushong)

APPROVED 4. Temporary Extension of Premises: Texas Roadhouse

Approve an application for a Temporary Extension of Premises/Patio Liquor License Permit submitted by Scott Crace, agent for Texas Roadhouse, for the "Battle of the Bands" event on October 30, 2010 to be held at 594 E. 16th Street, Yuma, Arizona. (EP10-06) (City Administration/City Clerk) (Lynda L. Bushong)

APPROVED 5. Bid Award: Figueroa Water Pollution Control Facility Digester Improvements

Award to the lowest responsive/responsible bidder for Figueroa Water Pollution Control Facility Digester Improvements at a total cost of \$3,021,810.00 to: Haydon Building Corp., Phoenix, Arizona. (City Engineering Department - Bid #2010000464) (Paul Brooberg)

APPROVED 6. Agreement: Arizona Department of Homeland Security

Authorize City Administrator to enter into an agreement between the Arizona Department of Homeland Security and Yuma Police Department for reimbursement of funds expended for overtime and mileage in support of Operation Stonegarden. (Police/Patrol) (Jerry Geier)

APPROVED 7. Operating Agreement Amendment: Yuma Crossing National Heritage Area Corporation

Amend the insurance requirements of the Yuma Territorial Prison State Historic Park Operating Agreement to conform to the requirements contained within the Intergovernmental Agreement between Arizona State Parks and the City of Yuma (City Administration/Yuma Crossing National Heritage Area) (Charles Flynn)

APPROVED 8. Subrecipient Agreement: Yuma Crossing National Heritage Area

Approve an agreement with the Yuma Crossing National Heritage Area to implement a grant total of \$2,000,000.00 from the Bureau of Reclamation for enhancement and maintenance of the North and South Channel projects and restoration of the main stem of the Colorado River within the Yuma East Wetlands. (City Administration/ Yuma Crossing National Heritage Area) (Charles W. Flynn)

**APPROVED
AS
AMENDED**

9. Bid Award: New 12" Watermain and Pavement Replacement: 5th Avenue from 8th Street to 16th Street

Award to the lowest responsive/responsible bidder for New 12" Watermain and Pavement Replacement: 5th Avenue from 8th Street to 16th Street at a total cost of \$977,286.56 to: DPE Construction, Inc., Yuma, Arizona. (City Engineering Department - Bid # 2010000440) (Paul Brooberg)

SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:

M/_____ S/_____ VV/_____

III. RESOLUTION CONSENT AGENDA

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

ADOPTED A. Resolution R2010-52 Industrial Development Authority Bonds: Excel Group, Inc.

Approval for the Industrial Development Authority (Authority) to issue bond(s) to The Excel Group, Inc., d.b.a Yuma W.O.R.C Center (Excel), for the purpose of refunding a prior bond issue for the construction of an in-patient mental health facility and other related facilities within the City of Yuma, for performing upgrades and maintenance on the facilities, and paying for associated costs. (City Attorney) (Steven W. Moore)

ADOPTED B. Resolution R2010-54 Approval of Election Board

Approve the creation of an Election Board and appointment of Election Board Officers for the 2010 City of Yuma Special Election to be held in conjunction with the State-wide General Election on November 2, 2010. (City Administration/City Clerk) (Lynda Bushong)

ADOPTED C. Resolution R2010-55 Development Agreement: Ocotillo Desert Development, L.L.C.

Authorize a Development Agreement with Ocotillo Desert Development, L.L.C., for properties located at the northeast corner of Avenue 6E and 48th Street. (Community Development/Community Planning) (Laurie Lineberry)

SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

IV. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

There are no ordinances for adoption at this time.

V. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

INTRODUCED A. Ordinance O2010-50 Rezoning of Property: Southeast corner of Avenue 7E and 36th Street

Rezone property from the Agriculture (AG) District to the Low Density Residential (R-1-5) District and the Medium Density Residential (R-2-5) District. The applicant is Dahl, Robins, and Associates on behalf of Yuma Desert Land, LLC. (Z2010-009) (Community Development/Community Planning) (Laurie Lineberry)

INTRODUCED B. Ordinance O2010-51 Right-of Way Acquisition: 16th Street Widening

Authorize the acquisition of property at the southwest corner of 16th Street and Maple Avenue for Capital Improvement Program (CIP) Project No. 5.0574. (City Engineering/Administration) (Paul Brooberg)

VI. PUBLIC HEARINGS & RELATED ACTIONS

There are no public hearings scheduled at this time.

VII. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointment of City Councilmember:

- Acting Deputy Mayor

2. Appointment to boards, commissions, committees and offices:

- Parks and Recreation Commission – one term to expire on September 1, 2015.
- Clean and Beautiful Commission: 2 vacancies
 - one unexpired term to expire on December 11, 2010;
 - one term to expire on September 29, 2013.
- Community Tree Board – one term to expire September 29, 2013.
- Residential Advisory Board – one unexpired term for a Plumbing Contractor to expire on September 1, 2011.

3. Announcements:

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of September 16, 2010 through September 29, 2010. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.
- City Council report of upcoming meetings.
- City Council request for agenda items to be placed on future agendas.

4. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

APPOINTMENTS
MADE

REPORTED

VIII. SUMMARY OF CURRENT EVENTS

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

IX. EXECUTIVE SESSION

EXECUTIVE
SESSION
HELD AT
6:11 P.M.

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

ADJOURNMENT 6:44 P.M.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.